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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,) CASE NO. CR01-036-MJP
09 Plaintiff,)
10 v.) SUMMARY REPORT OF U.S.
11 KEVIN LINDSAY STOTTS,) MAGISTRATE JUDGE AS TO
12 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
_____)

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14 An initial hearing on supervised release revocation in this case was scheduled before me
15 on December 14, 2006. The United States was represented by AUSA Kathryn Warma and the
16 defendant by Walter Palmer. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about July 13, 2001 by the Honorable Marsha J.
18 Pechman on charges of Conspiracy to Possess Stolen Mail; Possession of Counterfeit Postal Key;
19 Possession of Stolen Mail Matter; and Production of False Identification Documents, and
20 sentenced to 46 months custody, 3 years supervised release. (Dkt. 61).

21 The conditions of supervised release included the standard conditions plus the requirements
22 that defendant be prohibited from possessing a firearm, submit to mandatory drug testing,

01 participate in a substance abuse program, abstain from alcohol, submit to search, pay restitution
02 in the amount of \$76,816.93, provide access to financial information, allow inspection of any
03 personal computer, notify his probation officer of any software, no new credit, do not possess
04 identification in any but defendant's true identity, provide financial information upon request, and
05 pay all tax liabilities.

06 Defendant's probation officer reported that Mr. Stotts had violated his conditions of
07 supervised release on or before March 6, 2005 by consuming alcohol. Defendant was
08 reprimanded, referred for substance abuse assessment, and placed in a structured testing program.
09 No further action was taken at that time. (Dkt. 120.)

10 In an application dated November 24, 2006 (Dkt 129), U.S. Probation Officer Michael J.
11 Larson alleged the following violations of the conditions of supervised release:

12 1. Associating with a convicted felon, namely Doug White, without the approval of
13 the probation office beginning in or about the spring of 2004 and continuing through on or about
14 November 14, 2005, in violation of standard condition number nine.

15 2. Consuming alcohol beginning in or about April 2005 and continuing through
16 October 2006, in violation of the special conditions of supervised release.

17 3. Failing to pay restitution in the amount of \$76,816.93 in full during the period of
18 supervision, in violation of the special conditions of supervised release.

19 Defendant was advised in full as to those charges and as to his constitutional rights.

20 Defendant admitted the alleged violations and waived any evidentiary hearing as to
21 whether they occurred.

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01 I therefore recommend the Court find defendant violated his supervised release as alleged,
02 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be
03 set before Judge Pechman.

04 Pending a final determination by the Court, defendant has been released on the conditions
05 of supervision.

06 DATED this 14th day of December, 2006.

07 
08 Mary Alice Theiler
09 United States Magistrate Judge
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11 cc: District Judge: Honorable Marsha J. Pechman
12 AUSA: Kathryn Warma
13 Defendant's attorney: Walter Palmer
14 Probation officer: Michael J. Larson
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